



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,142	05/14/2001	Adrian David Lincoln	211202	1124
23460	7590	05/12/2010	EXAMINER	
LEYDIG VOIT & MAYER, LTD TWO PRUDENTIAL PLAZA, SUITE 4900 180 NORTH STETSON AVENUE CHICAGO, IL 60601-6731			CHOUDHURY, AZIZUL Q	
			ART UNIT	PAPER NUMBER
			2445	
			NOTIFICATION DATE	DELIVERY MODE
			05/12/2010	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Chgpatent@leydig.com

**Office Action Summary**

<b>Application No.</b> 09/855,142	<b>Applicant(s)</b> LINCOLN ET AL.	
<b>Examiner</b> AZIZUL CHOUDHURY	<b>Art Unit</b> 2445	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1)  Responsive to communication(s) filed on 22 January 2010.
- 2a)  This action is **FINAL**.                      2b)  This action is non-final.
- 3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4)  Claim(s) 6 and 8-10 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5)  Claim(s) \_\_\_\_\_ is/are allowed.
- 6)  Claim(s) 6, 8-10 is/are rejected.
- 7)  Claim(s) \_\_\_\_\_ is/are objected to.
- 8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9)  The specification is objected to by the Examiner.
- 10)  The drawing(s) filed on 14 May 2001 is/are: a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \*    c)  None of:
- Certified copies of the priority documents have been received.
  - Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Detailed Action***

This office action is in response to the correspondence received on January 22, 2010.

***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 6 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Reed, Michael G. et al ("Proxies for Anonymous Routing"), hereafter referred to as Reed.

1. With regards to claim 6, Reed teaches a method of responding to an information request from a client device, the method including the steps of: receiving the information request from the client device (*p. 98, section 4.2, paragraph 2, Reed*); wrapping the information request in at least one layer to produce a request object (*It is inherent that packets are created by wrapping data in layers*); transmitting the request object over a distributed network comprising a plurality of processing nodes (*Figure 2, Reed*); at a first of said processing nodes, performing analysis of the information request stored on the request object to determine whether the first processing node is able to process the information request and generate at least part of a response data which is responsive to said information request, and adding a routing layer to the request object containing routing information relating to a next stage in processing of the request object whilst leaving said at least one layer of the request object intact and undisturbed

said first processing node determining the routing information contained in the routing layer in dependence upon only the request object content (*Reed teaches how the onion router applies the appropriate cryptographic operations to a packet (processes a request); see section 4.1, Reed. And Reed teaches how the onion router adds layers to route the packets, section 5.1, Reed*); at a second of said processing nodes, performing analysis of the information request stored on the request object to determine whether said second processing node is able to process the information request and generate at least part of the response data which is response to said information request (*sections 4.1, 5.4 and 6, Reed*); at least one of said first and second processing nodes processing the information request in the request object and generating at least part of the response data which is responsive to said information request and adding said response data to said request object; and transmitting back to said client device via said distributed network said request object, including said response data, for responding to the information request; wherein the request object further includes said information request (*section 5.4, Reed*).

2. With regards to claim 9, Reed teaches a system for responding to an information request from a client device, the system including: wrapping means configured to receive the information request from the client device and wrap the information request in at least one layer to produce a request object (*It is inherent that packets are created by wrapping data in layers*); first and second processing

nodes (*Figure 2, Reed*); transmitting means configured to transmit the request object over a distributed network comprising each of said processing nodes (*Figure 2, Reed*); wherein the first processing node is operable to perform analysis of the information request stored on the request object to determine whether the first processing node is able to process the information request and generate at least part of a response data which is responsive to the information request, and includes means configured to add a further layer to the request object containing routing information relating to a next stage in processing of the request packet to be performed at the second processing node whilst leaving said at least one layer of the request packet intact and undisturbed, the first processing node determining the routing information contained in the routing layer in dependence only upon the request object content (*Reed teaches how the onion router applies the appropriate cryptographic operations to a packet (processes a request); see section 4.1, Reed. And Reed teaches how the onion router adds layers to route the packets, section 5.1, Reed*); wherein the second processing node is operable to perform analysis of the information request stored on the request object to determine whether said second processing node is able to process the information request and generate at least part of the response data which is responsive to said information request (*sections 4.1, 5.4 and 6, Reed*); means for processing the information request in the request object at least one of said first and second processing nodes to generate at least part of the responsive data which is responsive to said information request and for

Art Unit: 2445

adding said response data to said request object (*section 4.2, 3<sup>rd</sup> paragraph, Reed*); and means for transmitting back to said client device via said distributed network said request object, including said response data, for responding to said information request, said request object including said information request (*Section 5.4, Reed*).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reed.

3. With regards to claims 8 and 10, Reed teaches a method wherein the layers of the data object further include at least one layer selected from a group containing client device information, user identification information, and application identification information (See section 8.1, Reed. It is well known in the art that packets maintain client specific data. Official notice is hereby taken that is would have been obvious to one skilled in the art, to have client-specific information such as device and user information, to enable for the proper identification, routing and processing of packets).

### ***Response to Arguments***

The amendment received on January 22, 2010 has been carefully examined but is not deemed fully persuasive. The following are the examiner's response to the applicant's concerns.

The first point of contention addressed by the applicant involves the claim limitations of a node processing the information request and adding a routing layer to the request. The applicant contends that the Reed art fails to teach such a claim limitation, the examiner respectfully disagrees. Reed teaches a network using onion routers. An onion router applies the appropriate cryptographic operations to a packet; see section 4.1, Reed. Hence it determines the appropriate process to perform and generates at least part of a response. In addition, Reed also teaches how the onion router adds layers to route the packets, section 5.1, Reed.

The second point of contention addressed by the applicant involves the contended "asynchronous request", a "request which may not be satisfied within a single session or by a single information provider" and "XML". The applicant contends that neither are taught by the Reed prior art. The examiner respectfully disagrees. In response to applicant's argument that the reference fails to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "asynchronous request", "XML" and a "request which may not be satisfied within a single session or by a single information provider") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from

the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). As the claims stand, they claim performing analysis of the request to determine if the node is able to process the request and generate at least a part of a response on the request. Not asynchronous requests, nor XML nor a request which may not be satisfied within a single session or by a single information provider.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **AZIZUL CHOUDHURY** whose telephone number is (571)272-3909. The examiner can normally be reached on M-F.



If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. C./  
Examiner, Art Unit 2445

/VIVEK SRIVASTAVA/  
Supervisory Patent Examiner, Art Unit 2445